UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/611,634	06/30/2003	Jeffrey A. Aaron	60027.5049US01/BLS 02051	1410

7590 09/10/2007	EXAMINER
Jodi L. Hartman Hope Baldauff Hartman, LLC 1720.Peachtree Street, N.W., Suite 1010 Atlanta, GA 30309	MEHRMANESH, ELMIRA

ART UNIT	PAPER NUMBER
2113	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	**Applicant(s)**
Office Action Summary		10/611,634	AARON, JEFFREY A.
		Examiner	**Art Unit**	
		Elmira Mehrmanesh	2113	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _28 June 2007_.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-25_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-25_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _30 June 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

This action is in response to an amendment filed on June 28, 2007 for the

application of Aaron, for an "Automated diagnosis for electronic systems" filed June 30,

2003.

Claims 1-25 have been amended.

Claims 1-25 are rejected under 35 USC § 102.

Specification

The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed. The following title is

suggested: Automated Diagnosis for a computer network.

The disclosure is objected to because of the following informalities: On page 16,

lines 12 and 28, page 17, lines 8-9, and page 20, line 1, related applications are listed,

but no corresponding serial numbers are supplied. Appropriate correction is required.

Claim Rejections - 35 USC § 101

In view of the amendments, the previous rejection of claims 14-25 under 35 USC

§ 101 has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Adams (U.S. Patent No. 7,058,861).

As per claim 1, Adams discloses a method for providing automated diagnosis of problems for a computer network (Fig. 1), comprising:

receiving input regarding a problem with the computer network (col. 5, lines 36-42)

identifying configuration changes made to the computer network that are associated with parameters of the problem (col. 5, lines 38-46)

associating each of the identified configuration changes with a rank based on a likelihood that each of the identified configuration changes caused the problem (col. 3, lines 64-67 through col. 4, lines 1-4) and (col. 9, lines 11-16)

and verifying that the ranked configuration changes are related to the problem (col. 10, lines 6-20)

As per claim 2, Adams discloses formulating a list of possible the configuration changes based on or ordered in terms of the adjusted rank associated with each of the

verified configuration changes and presenting the list to a user (col. 5, lines 36-42) and

(col. 9, lines 7-10).

As per claim 3, Adams discloses comparing the determined distance associated

with each of the verified configuration changes with a configurable distance threshold

and discarding any of the verified configuration changes associated with the determined

distance that violates the configurable distance threshold (col. 10, lines 51-56).

As per claim 4, Adams discloses recording the configuration changes made to

the computer network (col. 9, lines 1-10) and in response to receiving the input

regarding the problem, recording the configuration changes associated with the problem

at an adjusted level of detail (col. 9, lines 62-67 through col. 10, lines 1-5).

As per claim 5, Adams discloses accumulating and filtering the received input

associated with the problem until all of the input is received (col. 4, lines 2-9).

As per claim 6, Adams discloses searching a database having user records,

vulnerability and reliability data to verify the ranked configuration changes (col. 10, lines

25-30).

As per claim 7, Adams discloses determining a distance between each of the

verified configuration changes and the problem; and adjusting the rank associated with

each of the verified configuration changes based on the determined distance between

each of the verified configuration changes and the problem (col. 9, lines 11-43).

As per claim 8, Adams discloses a computer-readable medium executable on a

computer having a program for providing automated diagnosis of problems for a

computer network (Fig. 1) comprising:

logic configured to receive input regarding a problem with the computer network

(col. 5, lines 36-42)

logic configured to identify configuration changes made to the computer network

that are associated with parameters of the problem fall within pre established

parameters (col. 5, lines 38-46)

logic configured to associate each of the identified configuration changes with a

rank based on a likelihood that each of the identified configuration changes caused the

problem (col. 3, lines 64-67 through col. 4, lines 1-4) and (col. 9, lines 11-16)

and logic configured to verify that the ranked configuration changes are related to

the problem (col. 10, lines 6-20).

As per claim 9, Adams discloses logic configured to formulate a list of the

configuration changes based on the adjusted rank associated with each of the verified

configuration changes; and logic configured to present the list to a user (col. 5, lines 36-

42) and (col. 9, lines 7-10).

As per claim 10, Adams discloses logic configured to determine a distance between each of the verified configuration changes and the problem and logic configured to adjust the rank associated with each of the verified configuration changes based on the determined distance between each of the verified configuration changes and the problem (col. 9, lines 11-43).

As per claim 11, Adams discloses logic configured to record policy or the configuration changes made to the computer network (col. 9, lines 1-10)   .
and logic configured to record the configuration changes associated with the problem at an adjusted level of detail in response to receiving the input regarding the problem (col. 9, lines 62-67 through col. 10, lines 1-5).

As per claim 12, Adams discloses logic configured to accumulate and filter the received input associated with the problem until all of the input is received (col. 4, lines 2-9).

As per claim 13, Adams discloses logic configured to search a database having user records, vulnerability and reliability data to verify the ranked configuration changes (col. 10, lines 25-30).

As per claim 14, Adams discloses a system for providing automated diagnosis of problems for a computer network (Fig. 1), comprising:

means operative to receive input regarding a problem with the computer network (col. 5, lines 36-42)

means operative to identify configuration changes made to the computer network that are associated with parameters of the problem fall within pre established parameters (col. 5, lines 38-46)

means operative to associate each of the identified configuration changes with a rank based on a likelihood that each of the identified configuration changes caused the problem (col. 3, lines 64-67 through col. 4, lines 1-4) and (col. 9, lines 11-16)

and means operative to verify that the ranked configuration changes are related to the problem (col. 10, lines 6-20).

As per claim 15, Adams discloses means operative to receive policy or profile input from a user's processing device (col. 7, lines 25-28) or policy-management systems and to convert the policy or profile input into usable data (col. 10, lines 6-12).

As per claim 16, Adams discloses means operative to determine a distance between each of the verified configuration changes and the problem; and means operative to adjust the rank associated with each of the verified configuration changes based on the determined distance between each of the verified configuration changes and the problem (col. 9, lines 11-43).

As per claim 17, Adams discloses a database populated with descriptive system information and a database structure configured as hierarchical database pages, each database page having a page index, data section and selector section, wherein the data section is further configured to include reliability or vulnerability information associated with an element of the computer network associated with the problem, and wherein the selector section is further configured to include links to related database pages (col. 10, lines 21-24) and (col. 9, lines 1-10).

As per claim 18, Adams discloses means operative to accumulate and filter the received input regarding the problem with the computer network until all of the input is received (col. 4, lines 2-9).

As per claim 19, Adams discloses wherein any the parameters of the problem include at least one of an element of the computer network experiencing the problem, an element of the computer network affected by the problem, and a time at which the problem was first noted (col. 10, lines 27-37).

As per claim 20, Adams discloses wherein the parameters of the problem include at least one of an element of the computer network experiencing the problem, an element of the computer network affected by the problem, and a time at which the problem was first noted (col. 10, lines 27-37).

As per claim 21, Adams discloses wherein the parameters of the problem include at least one of an element of the computer network experiencing the problem, an element of the computer network affected by the problem, and a time at which the problem was first noted (col. 10, lines 27-37).

As per claim 22, Adams discloses means operative to formulate a list of the configuration changes based on the adjusted rank associated with each of the verified configuration changes; and means operative to present the list to a user (col. 5, lines 36-42) and (col. 9, lines 7-10).

As per claim 23, Adams discloses means operative to enable provisioning and access to the database and the database structure (col. 9, lines 1-10).

As per claim 24, Adams discloses wherein the database comprises an element descriptive database (EDD) (col. 9, lines 1-10 and 62-67 through col. 10, lines 1-5).

As per claim 25, Adams discloses wherein the database structure comprises a hierarchical vulnerability database (HVD) structure (col. 10, lines 21-24) and (col. 9, lines 1-10).

Response to Arguments

Applicant's arguments with respect to claims 1-25 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1 .136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1 .136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Elmira Mehrmanesh whose telephone number is (571)

272-5531. The examiner can normally be reached on 9-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Robert W. Beausoliel can be reached on (571) 272-3645. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).